



**SANDRA SHEWRY**  
Director

State of California—Health and Human Services Agency  
**Department of Health Services**



**ARNOLD SCHWARZENEGGER**  
Governor

July 19, 2005

TO: ALL COUNTY HEALTH DIRECTORS

SUBJECT: MEDICAL MARIJUANA PROGRAM

This is to notify you that the California Department of Health Services (CDHS) has resumed implementation of the Medical Marijuana Program (Program) and the issuance of identification cards to qualified patients and their designated primary caregivers.

On July 8, 2005, CDHS suspended the implementation of the Program. This action was taken pending the need for further legal review in light of the United States Supreme Court decision in *Gonzales v. Raich*. The CDHS has received legal advice from the State Attorney General that said operating the Program would not aid and abet marijuana users in committing a federal crime. It was also affirmed that information received from applicants for identification cards may be obtained by federal officials to identify them for prosecution. Therefore, the CDHS will be modifying the identification card application to inform applicants that possession of marijuana remains a federal crime and information provided by them could be used in a federal prosecution.

Pilot counties have been requested to resume processing applications through the state's system and to notify existing cardholders of their risk for federal prosecution. Additionally, CDHS will resume processing county requests for statewide phased implementation of the Program beginning August 1, 2005.

Should you have any questions or need additional information, please contact Ms. Genny Fleming, Chief, Medical Marijuana Program, at (916) 552-8600.

Sincerely,

Gregory A. Franklin, M.H.A.  
Deputy Director  
Health Information and Strategic Planning Division

All County Health Directors  
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